

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**McNICOL et al.**

**Serial No.: Not yet assigned**

Filed: Submitted herewith

For: DATA DISTRIBUTION NETWORK  
AND METHOD OF USE

Group Art Unit: Not yet assigned

**INFORMATION DISCLOSURE STATEMENT**

MS PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO-1449 provides a listing of documents that may be relevant to the subject application.

It is requested that the Examiner fully consider the art cited in the accompanying Form 1449, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

In accordance with §1.97(b), this Information Disclosure Statement is being filed within

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CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

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August 21, 2003  
Date of Deposit

Cynthia B. Pacheco  
Cynthia B. Pacheco

three months of the filing date of the above-identified application, and therefore no fee is required.

In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in prior Application Serial No. 09/481,778 for which a claim for priority under 35 U.S.C. §120 has been made in the instant application. Accordingly, Applicants will provide duplicate copies in respect of the present case only if the Examiner so desires.

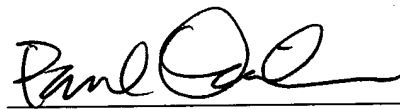
This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0639.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: August 21, 2003

By:



Polaphat Veravanich  
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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	Not yet assigned
				Filing Date	Submitted herewith
				First Named Inventor	McNicol et al.
				Group Art Unit	Not yet assigned
				Examiner Name	Not yet assigned
				Attorney Docket Number	801,461-009
Sheet	1	of	2		

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	Number	Kind Code <sup>2</sup> (if known)			
	4,387,296		Newell	06/1983	
	4,509,277		Bolton	04/1985	
	4,628,193		Blum	12/1986	
	4,654,793		Elrod	03/1987	
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	5,377,982		Villareal, Jr.	01/1995	
	5,380,994		Ray	01/1995	
	5,444,768		Lemaire et al	08/1995	
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	5,696,706		Morton, et al.	12/1997	
	5,721,942		Nishiyama	02/1998	
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	6,055,509		Powell	04/2000	
	6,129,449		McCain et al.	10/2000	
	6,135,885		Lermusiaux	10/2000	
	6,138,145		Kawanaka	10/2000	
	6,148,242		Descalzi, et al.	11/2000	
	20020006787		Darby	01/2002	

Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	EP	0710938	A2	Angehrrn- Mueller	07/1995		
	EP	0629832		GF-Oto Melara Breda	07/1993		
	PCT	9504430		Brooks Jon	09/1995		

Examiner Signature	Date Considered
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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				Attorney Docket Number	801,461-009
Sheet	2	of	2		

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume–issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	LAUFER Peter, The World in Your Pocket Special Supplement to the Economist Oct. 9-15, 1999	
	MUIRHEAD Greg, Hand-held device could help pharmacists make home visits, pp 1-2, May 23, 1994	
	TAKAHASHI Dean, Professor's Idea for Speedy Chip could be More Than Academic, Wall Street Journal; New York, pp 1-3, August 28, 1998	
	Sun Microsystems: Java platform for consumer devices ships, pp 1-2; January 9, 1998, M2 Presswire: Coventry	
	APRIL Carolyn A., NEC and Sharp introduce hand-held devices, pp 1-2, November 4, 1996, InfoWorld, Framingham	
	APRIL Carolyn A., Microsoft's Pegasus plans take wing, pp 1-2, September 16, 1996, InfoWorld; Framingham	
	Lost Ticket data costly for NSU 12/31/1998	
	Handheld net access device 12/31/1998	
	Reading: Tom Brokaw's book celebrates those who won World War II, Frazier Moore, 12/29/98	
	AT&T Labs gives voice to technology, Joseph R. Perone, 12/21/1998	
	Top 10 multinational, 12/31/1998	

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